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28342	7590	04/03/2006	EXAMINER	
SAMUEL A. KASSATLY LAW OFFICE 20690 VIEW OAKS WAY SAN JOSE, CA 95120			JARRETT, SCOTT L	
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			3623	
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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 09/903,360  
Filing Date: July 10, 2001  
Appellant(s): KAUFMAN ET AL.

**MAILED**

APR 03 2006

**GROUP 3600**

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Samuel A. Kassalty  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed March 7, 2006 appealing from the Office action mailed December 7, 2005.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

2002/0077876	O'Meara et al.	05-2002
6,694,234	Lockwood et al.	02-2004
6,028,537	Suman et al.	02-2000

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims and are reproduced below from the Final Office Action, mailed December 7, 2005, for the convenience of both the Appellant and the Board of Patent Appeals:

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 8, 10, 12, 19, 26 and 30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding Claims 1, 19 and 26 the disclosure does not clearly define the phrases “suitable” or “acceptable” with regards to determining the suitability/acceptability of a candidate helper. The phrases suitable and/or acceptable encompass a wide range of varying definitions and without further definition these phrases are vague and indefinite.

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Examiner interpreted the phrases “suitable” and “acceptable” to mean any candidate help that meets or exhibits any condition, parameter and/or constraint for the purposes of examination.

Claim 8 recites the limitation "sending the notification of the service disruption" in 1. There is insufficient antecedent basis for this limitation in the claim.

Examiner interpreted the claim to read “the user’s request for assistance comprises a transportation request” for the purposes of examination.

Claim 10 recites the limitation "sending the notification of the service disruption" in 1. There is insufficient antecedent basis for this limitation in the claim.

Examiner interpreted the claim to read “the user’s request for assistance comprises a technical assistance request” for the purposes of examination.

Claim 12 recites the limitation "sending the notification of the service disruption" in 1. There is insufficient antecedent basis for this limitation in the claim.

Examiner interpreted the claim to read “the user’s request for assistance a information resource request” for the purposes of examination.

Claim 30 recites the limitation "user module" in 29. There is insufficient antecedent basis for this limitation in the claim.

Examiner interpreted the claim 29 to intend to recite “a user module for” for the purposes of examination.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 8-11, 19-23, 24, 26 and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. O’Meara et al., Patent Publication No. 2002/0077876.

Regarding Claims 1, 19 and 26 O’Meara et al., teach a system and method for scheduling and allocating location/time specific user requests for assistance (assignments, orders, tasks, etc.) to acceptable and/or suitable candidate helpers (mobile agents, personnel, service providers, etc.) wherein a helper’s suitability/acceptability is based on a one or more parameters/conditions including but not limited to: availability, future scheduled events (calendar of events), location and time the helper is expected to be free/available, the distance from the service provider to the requested service, helper skill set, journey time and the like (“Suitability of agent is dependent on location and time of availability”, Paragraph 0015; Paragraphs 0016, 0027, 0029-0030, 0045-0050, 0099, 0113, 0117, 0138-0141; Figures 7, 9).

O'Meara et al. further teach assigning/scheduling the most acceptable and/or suitable candidate helper in response to a user's request for assistance is old and well known and "generally means the person who can arrive first at the location where the repair is required" (Paragraphs 0005-0007). However O'Meara et al. further teaches that the closest candidate helper may not be the most suitable and/or acceptable (Paragraph 0006).

More specifically O'Meara et al. teach a system and method for automatically assisting users upon receiving a user request for assistance, comprising:

- retrieving a list of candidate (potential) helpers (service providers, businesses, users, mobile agent, etc.; "location details of the order can simply be compared with position of that location in the prioritized listing for each agent to identify the agent who can reach the customer the earliest.", Paragraph 0016; Paragraphs 0010-001, 0019, 0047-0049, 0065-0069; Figure 9);
- automatically determining the user's current location ("input interface receiving a location-based order and recording the location and time at which the order is to be fulfilled.", Paragraph 0048)
- determining the current location, capability, suitability and calendar of events (schedule) for each candidate helper (Paragraphs 0010-0014; 0027, 0029-0030);
- based on the candidate helper's schedule (calendar, appointments, etc.) automatically projecting (forecasting, estimating, determining, etc.) a physical location for each candidate helper during a time period (projected, desired, future, current, etc.) for rendering service to the user (Paragraphs 0027, 0029-0030, 0099; Figures 2A, 2B, 3, 6);

- if the projected (future) physical location for each candidate helper is suitable further determining other obligations (future appointments, schedule of events, business operating hours, etc.) during the assistance time period (Paragraphs 0027, 0029-0030, 0035, 0041-0044); and

- wherein if the other obligations for each candidate helper are acceptable (e.g. no other obligations, next/previous appointment are close, enough time to travel from current/future/previous appointment/service to user requesting service, etc.) automatically dispatching (scheduling order, placing order on agent's list, etc.) one or more candidate helpers (service providers, mobile agents) from the list of candidate helpers ("determining from the prioritized listing a suitable agent to fulfill the order; and an output interface for allocating the order to the identified agent.", Paragraphs 0049-0059; Paragraphs 0045-0048, 0138-0141; Figure 9).



FIG. 3

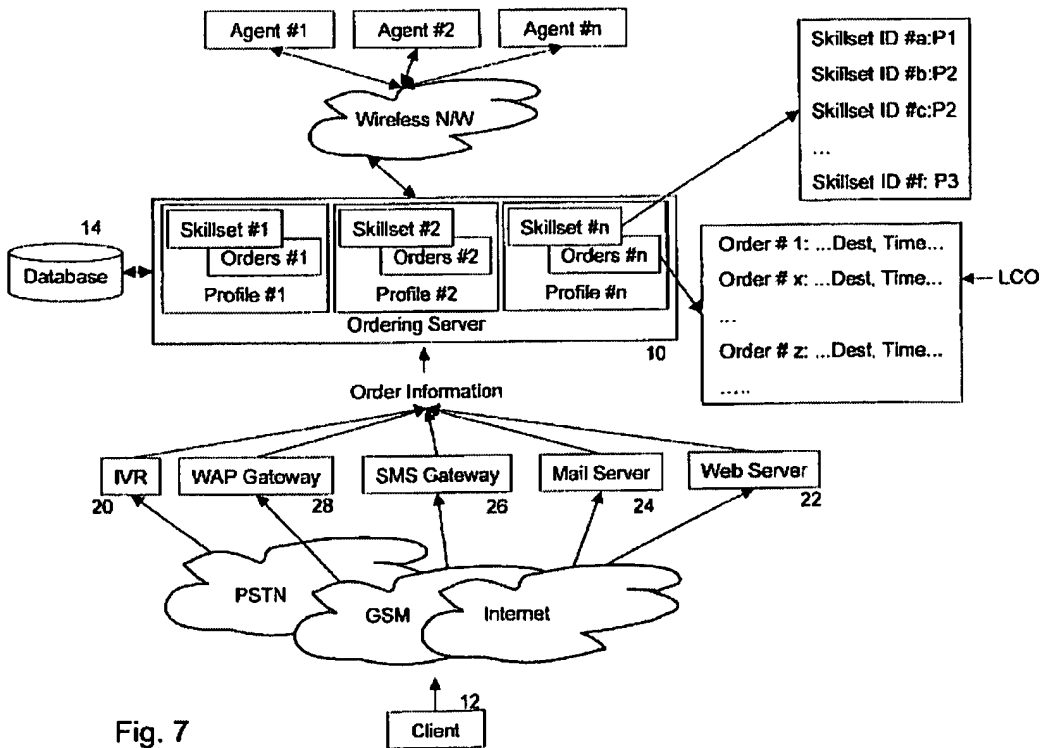
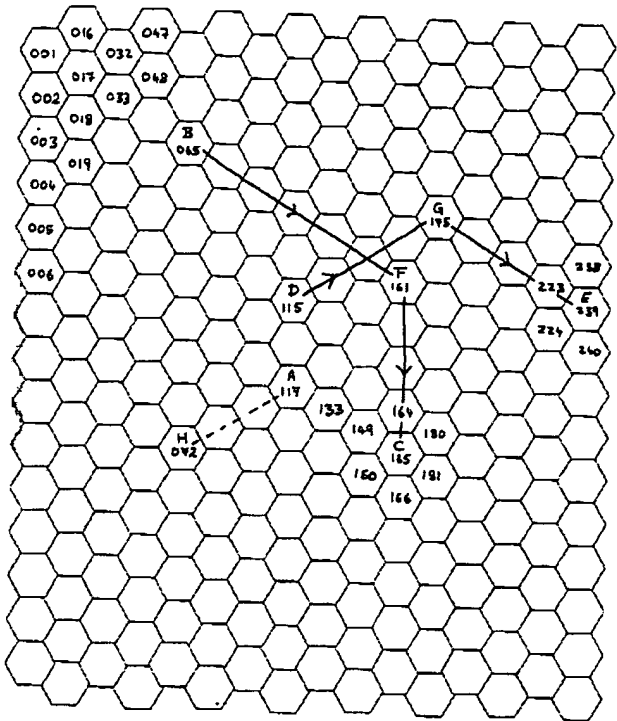


Fig. 7

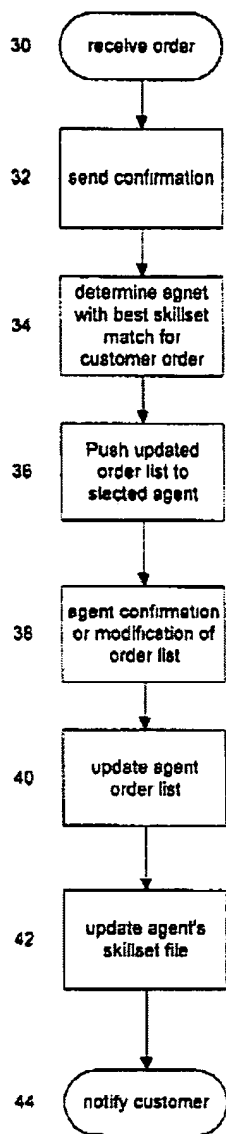


FIG. 9

While O'Meara et al. teaches that the system and method for dispatching candidate helpers in response to a user's time and location specific request for assistance applies to any of a plurality of industries, situations, helpers, services, or the like O'Meara et al. does not expressly

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teach that these assistance provided is specifically directed towards assisting a user recover from an unexpected disruption of service as recited in the preamble of claims 1, 19 and 26.

Official notice is taken that assisting users recover from unexpected disruption of service is old and very well known (e.g. technical help centers for computer or other technical problems due to system malfunctions/errors/crashes, roadside assistance services such as towing or the like for disabled vehicles, etc.).

It would have been obvious to one skilled in the art at the time of the invention that the system and method for dispatching candidate helpers in response to a user's time and location specific request for assistance, with its applicability to any of a plurality of industries, situations, helpers, services or the like, as taught by O'Meara et al. would have benefited from assisting users recover from unexpected disruption of service in view of the teachings of official notice.

Further it is noted that while O'Meara et al. teaches that the system and method for dispatching candidate helpers in response to a user's time and location specific request for assistance applies to any of a plurality of industries, situations, helpers, services, or the like O'Meara et al. does not expressly teach that these assistance provided is specifically directed towards assisting a user recover from an unexpected disruption of service as recited in the preamble; however, these differences are only found in the non-functional descriptive material and are not functionally involved in the steps recited nor do they alter the recited structural elements. The recited method steps would be performed the same regardless of the specific type

of assistance that is provided or the intended field of use for the system/method. Further, the structural elements remain the same regardless of the specific type of assistance that is provided. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, *see In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP 2106.

Regarding Claims 8-9 O'Meara et al. teach a system and method for dispatching a helper in response to a user's request from assistance wherein the user's request for assistance comprises a transportation request and executing a transportation request routine (code, program, checklist, order, etc.) in response to the request (e.g. users requests/makes a taxi reservation/request and a suitable taxi is identified and scheduled; Paragraphs ;0085-0088; Figure 3).

Regarding Claims 10-11 O'Meara et al. teach a system and method for dispatching a helper in response to a user's request from assistance wherein the user's request for assistance comprises a technical assistance request and in response to the request executing a technical assistance request routine (dispatching a service/repair technician/personnel; Abstract; Paragraph 0005, 0026, 0115).

Regarding Claims 20 and 29 O'Meara et al. teach a system and method for scheduling a helper in response to a user's request for assistance further comprising a user module (subsystem, component, device, code, program, etc.) for transmitting the user request for

assistance (Internet, IVR, input interface; Paragraphs 0048, 0048, 0116, 0152; Figure 7, Element 12).

Regarding Claims 21 and 30 O'Meara et al. teach a system and method for scheduling a helper in response to a user's request for assistance wherein the user module further comprises a global position system interface (link, API, port, etc.; Paragraphs 0006, 0037).

Regarding Claim 22 O'Meara et al. teach a system and method for scheduling a helper in response to a user's request for assistance wherein in at least one of the candidate helper's modules (device, computer, subsystem, etc.) includes a session manager and a GPS interface (Internet/Web, WAP Gateway, etc.; Paragraphs 0006, 0037, 0116; Figure 7).

Regarding Claim 23 O'Meara et al. teach a system and method for scheduling an agent in response to a user's request for assistance wherein the system (server module, subsystem, code, etc.) includes a plurality of system (server) information interfaces (links, APIs, subsystems, etc.; Paragraph 0116, 0142-0143; Figure 7).

Regarding Claim 24 O'Meara et al. teach a system and method for scheduling an agent in response to a user's request for assistance wherein the system comprises a plurality of information in a database (Paragraph 0119; Figure 7, Element 14).

O'Meara et al. does not expressly teach that the system and method for automatically assisting user's by dispatching helpers in response to user's requests for assistance utilizes a *plurality* of databases.

Official notice is taken that the utilization of a plurality of databases (data sources, data tables, data stores, etc.) is old and very well known for providing access and/or management of a plurality information or providing systems with well known mechanisms for addressing/meeting scalability, reporting or disaster recovery needs/requirements.

It would have been obvious to one skilled in the art at the time of the invention that the system and method for dispatching helpers in response to location/time specific user's request for assistance, with its utilization of a plurality of information stored in a database, would have benefited from utilizing a plurality of databases to store the plurality of information in view of the teachings of official notice.

Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. O'Meara et al., Patent Publication No. 2002/0077876 as applied to claims 1, 8-11, 19-23, 24, 26 and 29-30 above, and further in view of Lockwood et al., U.S. Patent No. 6,694,234.

Regarding Claims 2-3 While O'Meara et al. teach that the system and method for responding to user's request for assistance further comprises enabling a user (e.g. dispatcher, manager, etc.) to select which helper to dispatch O'Meara et al. does not expressly teach sending

a list of candidate helpers *to the user* or subsequently the enabling *the user* (requestor) to select one or more candidate helpers to be automatically dispatched as claimed.

Lockwood et al. teach sending (providing, displaying, etc.) a list of candidate helpers (service providers, personnel, services, etc.) to the user in response to a user's request for assistance and the user subsequently selecting one or more candidate helpers from the list to be automatically dispatched (Column 10, Lines 50-65), in an analogous art of assisting users with requests for assistance, for the purposes of assisting users in emergency/distress situations through the execution of a response plan (Column 1, Lines 14-20, 33-68; Column 2, Lines 1-14).

More generally Lockwood et al. teach a system and method for automatically assisting a user recover from an unexpected disruption of service upon receiving a service request from the user wherein the system automatically determines the location of the user via GPS (Column 5, Lines 13-20) and based at least on the user's location and the type of request (emergency) the system/method retrieves and sends a list of acceptable and/or suitable candidate helpers from which the user can select and have automatically dispatched (response options based on the user's problem/event and profile; Column 1, Lines 55-68; Column 2, Lines 1-14) and/or automatically dispatching one or more suitable and/or acceptable candidate helpers (Column 8, Lines 11-52; Column 9, Lines 1-10).

Lockwood et al. further teaches that the system and method for assisting users in response to user's request for assistance is linked to a plurality of other systems/information providers utilizing well-known business-to-business systems/approaches (Column 6, Lines 30-40).

It would have been obvious to one skilled in the art at the time of the invention that the system and method for responding to a user's request for assistance as taught by O'Meara et al. would have benefited from providing a list of candidate helpers to the user and having the user select one or more of the candidate helpers from the list to be automatically dispatched in view of the teachings of Lockwood et al.; the resultant system providing users the ability to select which helper (service provider option) is dispatched (Lockwood et al.: Column 10, Lines 50-53).

Regarding Claim 4 O'Meara et al. teach that the system and method for dispatching a helper (agent, worker, personnel, etc.) in response to a user's request for assistance further comprises determining the user's location for a future task and accounting for the user's future task location in preparing the list of candidate helpers ("input interface receiving a location-based order and recording the location and time at which the order is to be fulfilled.", Paragraph 0048; Paragraphs 0117, 0129-0130, 0148).

Claims 6-7 and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. O'Meara et al., Patent Publication No. 2002/0077876 as applied to claims 1, 8-11, 19-23, 24, 26 and 29-30 above, and further in view of Suman et al., U.S. Patent No. 6,028,537.



Regarding Claims 6-7 O'Meara et al. does not expressly teach that the user's request for assistance is an emergency request or subsequently executing an emergency request routine as claimed.

Suman et al. teach a system and method to automatically assist a user recover from an unexpected disruption of service wherein the request for assistance is an emergency request and subsequently executing a emergency request routine (program, code, checklist, etc.; Abstract – 911 Column 1, Lines 50-60; Column 12, Lines 50-68; Column 13, Lines 1-10), in an analogous art of dispatching helpers in response to user's location/time specific requests for assistance for the purposes of providing quick access and communication with emergency services such as 911 (Column 1, Lines 50-60; Column 13, Lines 1-10 and 32-45; Figure 3, Elements 37-38; Database Figure 3, Element 37).

It would have been obvious to one skilled in the art at the time of the invention that the system and method for dispatching candidate helpers in response to user's location/time specific requests for assistance as taught by O'Meara et al. would have benefited from responding to emergency user requests and a executing emergency request routine in view of the teachings of Suman et al.; the resultant system providing quick access and communication with emergency services such as 911 (Suman et al.: Column 1, Lines 50-60).

Regarding Claims 12-13 O'Meara et al. does not expressly teach that the user's request for assistance comprises an information resource request and in response to the request executing a information resource routine as claimed.

Suman et al. teach that the user's request for assistance comprises a information resource request and in response to the request executing a information resource routine (e.g. directions to/location of the nearest ATM, gas/service station, traffic reports, etc.; Column 2, Lines 11-25; Column 14, Lines 47-68; Column 33, Lines 4-48; Column 34, Lines 17-25), in an analogous art of assisting user's with requests for assistance, for the purposes of providing users with a plurality of useful information (Column 2, Lines 11-24).

Suman et al. further teaches that the system and method for assisting a user with their time/location specific location takes into account a plurality of information/parameters prior to identifying/listing and/or dispatching one or more candidate helpers including but not limited to the location and availability of the candidate helpers (Column 33, Lines 4-48; Column 34, Lines 17-25) wherein availability information not only includes current but also future availability (Column 35, Lines 14-30).

It would have been obvious to one skilled in the art at the time of the invention that the system and method for dispatching candidate helpers in response to user's requests for assistance as taught by O'Meara et al. would have benefited from assisting users with information resource requests in view of the teachings of Suman et al.; the resultant system providing users with a plurality of useful information such as weather, traffic or even the status of their fuel tank and the

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closest available (acceptable/suitable) gas station thereby assisting users in avoiding disruptions of service (i.e. avoid running out of gas; Suman et al.: Column 2, Lines 11-24).

**(10) Response to Argument**

10.1 The applicant argues, see Appeal Brief Page 7, Paragraph 1, that amendments to claims 21-22 which were objected to due to minor informalities (the utilization of the GPS acronym instead of the intended Global Positioning System), is not necessary.

Examiner agrees. The objection to claims 21-22 is withdrawn.

10.2 The applicant argues, see Appeal Brief Page 7, Paragraph 1, that amendments to claim 26 which was objected to due to minor informalities (missing spaces in the phrase "computerprogramproduct"), is not necessary.

Examiner agrees. The objection to claim 26 is withdrawn.

10.3 The applicant argues, see Appeal Brief Page 7, Paragraph 1, the objection of claim 30 for minor informalities (missing the term "module"), was actually related to claim 29 which has been amended accordingly.

Examiner thanks applicant for pointing out the incorrectly objected to claim.

The objection to claim 30 is withdrawn in response to the applicant's amendments to claim 29.

10.4 The applicant argues, see Appeal Brief Page 8, Paragraphs 2-3, with regards to the U.S.C. 112 2<sup>nd</sup> Rejection of claims 1, 8, 10, 12, 19, 26 and 30 that the phrases “suitable” and “acceptable” are to be interpreted in their common usage.

While the examiner agrees with the Applicant’s general definition of the phrases “suitable” and “acceptable” the examiner respectfully disagree that such common definitions enables one to properly and/or reasonable determine the metes and bounds of the invention as claimed.

The metes and bounds of the claimed invention must be clearly defined. The phrases “suitable” and “acceptable” are very subjective and interpretations of each term vary widely depending on the person practicing the invention. For example, what one person might deem to be “suitable” or “acceptable” could easily be unsuitable/unacceptable for another person. Therefore the intended scope of such terminology is unclear thereby rendering the claims indefinite under U.S.C. 112 2<sup>nd</sup> paragraph.

10.5 The applicant argues, see Appeal Brief, Page 13, Paragraph 3; Page 14, Paragraph 1, that the art rejections are not supported by the prior art wherein O’Meara et al., Lockwood et al. and/or Suman et al. fail to disclose, teach or suggest all of the elements set forth in the claims when the claims are considered as a whole. Specifically applicant argues that the prior art of record fails to disclose, teach or suggest “...determining the current location, capability, suitability and calendar of events

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for each candidate helper” (i.e. “it does not combine the location based service with the calendar of events”, see Appeal Brief, Page 13, Paragraph 3) as recited in independent Claims 1, 19 and 26.

The examiner respectfully disagrees. O’Meara et al. teach determining the current location, capability, suitability and calendar of events for each candidate helper upon receiving a request for assistance as part of a system and method for automatically assisting a user as evidenced by at least the following (emphasis added):

- “holding **current order details** which identify at least the **location and time** at which each agent is expected to become free”, Abstract, Paragraph 0010; (i.e. a calendar, a list/schedule of events, appointments, meetings, obligations, reservations, etc., wherein the events are represented as time and location specific orders for candidate helpers such as repair/serviceman, taxicabs or the like);
- Figures 5A and 6-7, Elements A-C (as shown below) display a list of booked, pre-booked/advance and potential orders/events (calendar) for each candidate helper, Paragraphs 0104 and 0128-131;
- “By keeping track of the **locations and times at which agents will be free**, and by **deciding in advance** which locations each agent is best able to service, orders can be promptly processed and assigned to the **most suitable agent**. Thus, when an order is received, it is not necessary to query each agent in advance as to the final location of that

agent and then arrive at a value judgement as to which agent will be able to reach the customer first. Instead, the **location details of the order can simply be compared** with the position of that location in the **prioritised listing** for each agent to identify the agent who can reach the customer earliest. This improves customer service levels, and reduces the detailed local knowledge normally required for dispatching positions.”, Paragraphs 0015-0016; Paragraphs 0040, 0042-0043; i.e. the system/method utilizes a continually up-to-date calendar (list, schedule) of events/orders so that it is not necessary, at the time an order is placed, to determine/project the candidate helpers location/suitability/availability because the system has already determined/projected that information and can quickly dispatch (assign) a candidate helper based on the calendar of events/obligations both for each individual candidate helper and for all candidate helpers; and

- “It is presently preferred to have individualised agent order files, as this enables the agent or a supervisor to access an agent's file and **see at a glance the orders which are assigned**. Each agent can have a profile in which the order details are kept and constantly updated.”, Paragraph 18, Paragraphs 0027-0028; i.e. a calendar (schedule/list) of events for each candidate helper.

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Skillset for Taxi # 1	
Cell	Time
165	11.10
149	11.11
150	11.11
164	11.11
166	11.11
180	11.11
181	11.11
...	...
...	...
133	11.12
...	...
...	...
117	11.13
...	...
...	...

FIG. 5A

FIG. 6

Taxi # 1			
Start Position	Destination	Time at Destination	LCO
65	165	11.10	
165	117	11.13	
117	72	11.16	•
.....			
19	177	14.10	A

A



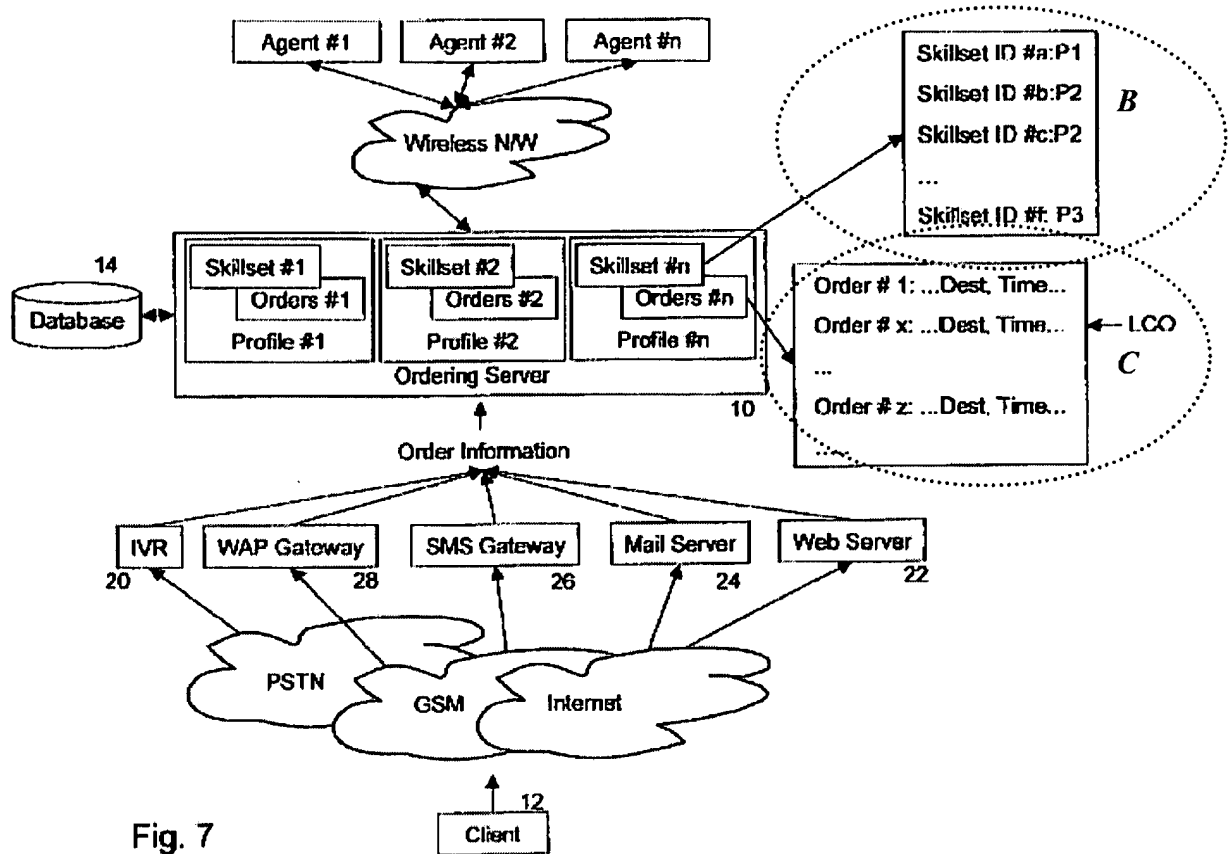


Fig. 7

10.6 The applicant argues, see Appeal Brief Page 14, Paragraph 2, that the art rejections are not supported by the prior art wherein O'Meara et al., Lockwood et al. and/or Suman et al. fail to disclose, teach or suggest all of the elements set forth in the claims when the claims are considered as a whole. Specifically applicant argues that the prior art of record fails to disclose, teach or suggest "if the projected location for each candidate helper is determined to be suitable, further determining other obligations for said each candidate helper during the assistance period" (i.e. that the system/method considers "the candidate helpers' other obligation that may affect the proper rendition of service to the user") as recited in independent Claims 1, 19 and 26.

The examiner respectfully disagrees. O'Meara et al. teach that the system/method considers the candidate helpers' other obligation that may affect the proper rendition of service to the user wherein if the projected location for each candidate helper is determined to be suitable, the system/method further determines other obligations for said each candidate helper during the assistance period as evidenced by at least the following (emphasis added):

- "This advance flag causes the call server software to determine, when any new order is being assigned to the taxi, whether the taxi **can fulfill that new order** and subsequently travel to the start position of the advance order in time to meet that order. Thus, in the present case, the system, **before accepting the order** to travel from 117 to 072, would calculate the time to travel from cell 072 to cell 019 for the advance order provided that the time for this journey is less than the difference between the ETA at cell 072 and the pick-up time (14.00) at cell 019, the order can be accepted. Otherwise, the new order would be assigned to another taxi so that taxi No. 1 **can meet the existing advance order**. The system will therefore keep assigning orders to the most suitable taxi until it is **determined that by assigning an order to a particular taxi an advance order for that taxi cannot be fulfilled**. In such a case, the order is instead assigned to the next most suitable taxi, and so on. A point may be reached where none of the taxis is available to take an order until after advance orders have been fulfilled, and the caller will be

alerted accordingly.”, Paragraphs 0106-107; Paragraph 0131 i.e. the impact of the new order(s) and the candidate helpers' current obligations (scheduled, pre-booked, assigned orders – calendar of events) is taken into account while determining the suitability of each candidate helpers' ability to serve the user; and

- “Thus, when an agent accepts another (non pre-booked) order, the agent's skillset file is updated based on the location of their new LCO. As indicated above, the agent's skillset file may also include skillsets for neighboring grids at a lower priority. Thus, if an agent's last current order is to provide a service at location or to a destination location in element A, FIG. 8, and expects to complete the service at that location at time T1, then at time T0 (where T0 is before T1), the agent will have a given priority P1 associated with the identifier of element A. The agent can also be allocated a skillset and priority of P2 where say  $P2=P1/2$  for each of the neighbouring skillset identifiers corresponding with elements B, C, D and E. Similarly, the agent can be allocated a skillset and priority of P3 where say  $P3=P1/3$  for each of the next neighbouring skillset identifiers corresponding with elements F, G, H, I etc.”, Paragraph 0136.

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**(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,



Scott L. Jarrett  
Examiner  
Art Unit 3623

March 30, 2006

Conferees:

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SPE 3623



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